Analysis of a sample of the eye ointment showed that it consisted essentially of yellow mercuric oxide incorporated in a suitable base. It was alleged to be misbranded in that the statement "For the treatment of eye inflammations and infections * * * If the eye contains pus," borne on the cartons, was false and misleading since it would not be efficacious for the treatment of eye inflammations and infections or of pus in the eye.

Analysis of a sample of the equine worm powder showed that it consisted essentially of arsenic trioxide (1.57 percent), plant material including areca nuts and tobacco, compounds of sodium, iron, and calcium, chlorides, sulfates, and phosphates. It was alleged to be adulterated in that its strength differed from or its quality or purity fell below that which it purported or was represented to possess in that it was represented to contain 2 percent of arsenic, i. e., arsenic trioxide; whereas it contained less than 2 percent, namely, not more than 1.57 percent of arsenic trioxide. It was alleged to be misbranded in that the statements "Equine Worm Powder" and "Contains * * * Arsenic 2%," appearing on the label, were false and misleading since it was not efficacious in the treatment of worms in horses and it did not contain 2 percent of arsenic trioxide, but did contain a smaller amount.

On January 28, 1941, the defendants entered pleas of guilty and the court imposed a fine of $1 and costs to be paid jointly.

471. Adulteration and misbranding of sodium cacodylate solution, calcium gluconate compound solution, and liquid nux vomica alkaloids. U. S. v. 14 Bottles of Sodium Cacodylate Solution, 68 Bottles of Calcium Gluconate Compound Solution, and 8 Bottles of Liquid Nux Vomica Alkaloids. Default decree of destruction. (F. D. C. Nos. 3710 to 3712, incl. Sample Nos. 43057-E, 43061-E, 43076-E.)

On January 27, 1941, the United States attorney for the Northern District of Oklahoma filed a libel against the above-named products at Tulsa, Okla., alleging that they had been shipped from Kansas City, Mo., by the Peerless Serum Co. of Kansas City, Kans., on or about August 22 and October 5 and 26, 1940; and charging that they were adulterated and misbranded.

Analysis of a sample of the sodium cacodylate solution showed that it contained not more than 2.6 grains of sodium cacodylate per cubic centimeter. It was alleged to be adulterated in that its strength differed from that which it was purported or was represented to possess, namely, "Sodium Cacodylate Solution 4.5 Gr. per cc." It was alleged to be misbranded in that statements on the label, "Sodium Cacodylate Solution 4.5 Gr. per cc.," and "Useful in the treatment of Anaplasmosis, Swamp Fever, Anemia, Influenza, Shipping Fever, Chronic Skin Diseases, and to build up Convalescent Patients," were false and misleading since it did not constitute an effective treatment for the diseases named on the label.

Analysis of a sample of the calcium gluconate solution showed that it contained approximately 15 percent of calcium gluconate. It was alleged to be adulterated in that its strength differed from that which it purported or was represented to possess, namely, "Calcium Gluconate Comp. Solution * * * 23% Solution." It was alleged to be misbranded in that the statements on the label, "Calcium Gluconate Comp. Solution * * * 23% Solution," and "Indications: * * * Azoturia," were false and misleading since it did not contain 23 percent of calcium gluconate and did not constitute an adequate treatment for azoturia.

Analysis of a sample of the nux vomica alkaloids liquid showed that it contained per cubic centimeter approximately 0.15 grain (less than 1/6 grain) of strychnine sulfate, and approximately 0.045 grain (approximately 1/22 grain) of brucine sulfate. It was alleged to be adulterated in that its strength differed from that which it purported or was represented to possess, namely, "Each cc. contains a quarter grain each of Strychnine Sulphate and Brucine Sulphate." It was alleged to be misbranded in that the above-quoted statement was false and misleading since it contained materially less than ¼ grain each of strychnine sulfate and brucine sulfate per cubic centimeter.

On February 24, 1941, no claimant having appeared, judgment was entered ordering that the products be destroyed.

472. Adulteration and misbranding of Mineralvita. U. S. v. 99 Bottles of Mineralvita. Default decree of condemnation and destruction. ((F. D. C. No. 3887. Sample No. 31578-E.)

On February 27, 1941, the United States attorney for the Eastern District of Michigan filed a libel against 99 bottles of Mineralvita at Pontiac, Mich., alleg-

ing that the article had been shipped by the Mineralvita Sales Co. from Toledo, Ohio, on or about February 1 and 3, 1941; and charging that it was adulterated and misbranded.

Analysis of a sample of the article showed that it consisted essentially of sodium sulfate (1.3 percent), and slaked lime (0.9 percent), and that it contained but inconsequential traces of, if any, manganese peptonate, lithium carbonate, calcium phosphate, manganese sulfate, dipotassium phosphate, disodium phosphate, lithium bromide, magnesium glycerophosphate, ferric phosphate, and magnesium chloride.

The article was alleged to be adulterated in that its strength differed from and its quality fell below that which it purported or was represented to possess, in that the labeling bore representations that minerals including manganese peptonate, lithium carbonate, calcium phosphate, manganese sulfate, dipotassium phosphate, disodium phosphate, lithium bromide, magnesium glycerophosphate, ferric phosphate, and magnesium chloride had been added thereto, whereas it contained but inconsequential traces, if any, of the above-named minerals; in that representations in the labeling (leaflet) that it had always been a source of precious minerals such as calcium phosphate and ferric phosphate, and that 4 ounces four times a day in combination with regular meals would furnish young and old their daily requirement of minerals including phosphorus, whereas it contained no phosphorus, no significant proportion of calcium phosphate or ferric phosphate and could not be depended upon to supply the various minerals which might be deficient in the daily diet; and that Mineralvita had been scientifically blended with the minerals found in the human system and then treated by a form of electrolysis which prepared them for assimilation into the blood stream, whereas it had not been scientifically blended with the minerals found in the human system, and treatment by electrolysis, if used, would not separate and prepare any of its minerals for entry into the human system nor make them readily assimilated into the blood stream.

It was alleged to be misbranded: (1) In that the statement on the bottle label, "Minerals Added Manganese peptonate Lithium carbonate Calcium oxide Calcium phosphate Manganese sulphate Potassium iodide Di Potassium phosphate Potassium chloride Di Sodium phosphate Lithium Bromide Magnesium glycerophosphate Calcium gluconate Ferric Phosphate Magnesium chloride Sodium sulphate Artificial coloring," was false and misleading since it contained but inconsequential proportions of, or no, manganese peptonate, lithium carbonate, calcium phosphate, manganese sulfate, dipotassium phosphate, disodium phosphate, lithium bromide, magnesium glycero-phosphate, ferric phosphate, or magnesium chloride. (2) In that the statement in the labeling "treated by * * * electrolysis" was false and misleading since the labeling failed to reveal the material fact that any treatment by electrolysis to which the water may have been subjected had not affected its composition or quality in any material manner. (3) In that the designation "Mineralvita" on the bottle label and shipping case and the statement on the shipping case label, "Manufactured from Nature's Minerals to Promote Health and Strength," was false and misleading since it did not contain life minerals, was not manufactured from natural minerals, and could not be depended upon to promote health and strength.

On April 4, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

473. Adulteration and misbranding of Virgitalis Digitalis Lanata Tablets. U. S. v. 7 Bottles of Virgitalis Digitalis Lanata Tablets. Default decree of condemnation and destruction. (F. D. C. No. 3902. Sample Nos. 50070–E, 50095–E.)

The labeling of this product represented that it possessed per gram (approximately 1½ grains) an activity equivalent to not less than 1 U. S. P. unit of digitalis; whereas it possessed an activity not greater than ⅓ U. S. P. unit of digitalis.

On March 3, 1941, the United States attorney for the District of Columbia filed a libel against the above-named product at Washington, D. C., alleging that it had been shipped by Van Pelt & Brown, Inc., on or about January 8, 1941, from Richmond, Va.; and charging that it was adulterated and misbranded. It was labeled in part: "Tablets Virgitalis Digitalis Lanata * * * Each Tablet Assays * * * 1½ grains Standardized Whole Digitalis Leaf (Physiologically Standardized)."

The article was alleged to be adulterated in that its strength differed from that which it purported or was represented to possess, namely, "Each Tablet